

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION**

<b>DR. HERBERT R. PUTZ, ET AL.,</b>	:	<b>CIVIL ACTION No. 3:09-cv-00003</b>
<b>PLAINTIFFS</b>	:	
<b>v.</b>	:	<b><u>ORDER</u></b>
	:	
<b>MICHAEL H. GOLDEN, ET AL.,</b>	:	<b>JUDGE NORMAN K. MOON</b>
<b>DEFENDANTS</b>	:	

For the reasons stated in the accompanying Memorandum Opinion, I **DECLINE** to adopt the Magistrate Judge's Report and Recommendation, and Defendants' Motion to Dismiss for Lack of Jurisdiction (docket no. 6) is **GRANTED**. Additionally, Plaintiffs' motion to strike (docket no. 33) Defendants' objections to the Report and Recommendation is **DENIED**. Any other pending motions are **DENIED as MOOT**, and this action is hereby **STRICKEN** from the active docket of the Court.

It is so **ORDERED**.

The Clerk of the Court is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to all counsel of record.

Entered this 31<sup>st</sup> day of December, 2009.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE